

Service: **Get by LEXSTAT® - Book Browse**

TOC: Michigan Compiled Laws Service, Constitution, Court Rules & ALS, Combined > /.../ >

PART 24. LOCAL HEALTH DEPARTMENTS > § 333.2465. Injunctive action; authority notwithstanding other remedy; local health officer, employer, representative, liability; wanton and wilful misconduct.

Citation: **mcl 333.2226**

Section: **MCLS § 333.2465**

MCLS § 333.2465

MICHIGAN COMPILED LAWS SERVICE
Copyright (c) 2003 by Matthew Bender & Company, Inc.
one of the LEXIS Publishing companies
All rights reserved

*** THIS DOCUMENT IS CURRENT THROUGH P.A. 361, 9/30/04 ***
*** WITH THE EXCEPTION OF P.A. 359 ***

CHAPTER 333 HEALTH
PUBLIC HEALTH CODE
ARTICLE 2. ADMINISTRATION
PART 24. LOCAL HEALTH DEPARTMENTS

◆ **GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION**

MCLS § 333.2465 (2004)

MCL § 333.2465

§ 333.2465. Injunctive action; authority notwithstanding other remedy; local health officer, employer, representative, liability; wanton and wilful misconduct.

Sec. 2465. (1) Notwithstanding the existence and pursuit of any other remedy, a local health officer, without posting bond, may maintain injunctive action to restrain, prevent, or correct a violation of a law, rule, or order which the officer has the duty to enforce, or to restrain, prevent, or correct an activity or condition which the officer believes adversely affects the public health.

(2) A local health officer or an employee or representative of a local health department is not personally liable for damages sustained in the performance of local health department functions, except for wanton and wilful misconduct.

HISTORY: Act 368, 1978, p 865; eff September 30, 1978.

Pub Acts 1978, No. 368, § 2465, eff September 30, 1978.

Former Acts.

This section is substantially similar to former §§ 325.14 and 327.203a .

NOTES:

Michigan Digest references:

Health § 12

Medicine and Surgery § 81

Officers and Public Employees §§ 70, 83

CASE NOTES

Pleadings alleging gross negligence and conduct so reckless as to demonstrate a substantial lack of concern for whether an injury would result is not sufficient to plead wanton and wilful misconduct within the meaning of the provision providing local health department officers and employees immunity from personal liability for damages arising out of the performance of health department functions. Jamieson v Luce-Mackinac-Alger-Schoolcraft Dist. Health Dep't (1993) 198 Mich App 103, 497 NW2d 551, later proceeding (1994, Mich) 512 NW2d 845 and app den (1994) 447 Mich 904.

Service: **Get by LEXSTAT® - Book Browse**

TOC: Michigan Compiled Laws Service, Constitution, Court Rules & ALS, Combined > /.../ >

PART 24. LOCAL HEALTH DEPARTMENTS > § 333.2465. Injunctive action; authority notwithstanding other remedy; local health officer, employer, representative, liability; wanton and wilful misconduct.

Citation: **mcl 333.2226**

Section: **MCLS § 333.2465**

View: Full

Date/Time: Tuesday, November 16, 2004 - 10:12 AM EST

[About LexisNexis](#) | [Terms and Conditions](#)

Copyright © 2004 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.